

EXHIBIT 3

**Professor Laura Beny v University of Michigan, et al
Case No. 2:22-cv-12021-DML-EAS**

**Plaintiff's Cross-Motion Requesting The Court Enter An Order
Permitting Plaintiff's Reliance On Expert Reports Filed
After July 7, 2023, But Before August 21, 2023**

EXHIBIT 3

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

PROFESSOR LAURA BENY,

Plaintiff,

v.

UNIVERSITY OF MICHIGAN
BOARD OF REGENTS, AND DEAN
OF UNIVERSITY OF MICHIGAN
LAW SCHOOL MARK D. WEST, (In
His Individual/Personal Capacity),

Defendants.

Case No. 2:22-CV-12021-DML-EAS

Hon. David M. Lawson
Magistrate Judge Elizabeth A.
Stafford

DEFENDANTS' EXPERTS DISCLOSURES

On July 24, 2023, Defendants in the above-captioned matter disclosed the identities of experts Richard Jackson and Laura Steiner pursuant to the Court's Case Management and Scheduling Order (ECF No. 46) Section II.B ("Scheduling Order"). On August 1, 2023, Defendants identified Professor C.K. Gunsalus as a rebuttal expert witness pursuant to the Scheduling Order.

As a threshold matter, Plaintiff failed to timely produce expert reports as required by Rules 26(a)(2)(B) and (C) and the Scheduling Order. Defendants thus intend to move to prohibit Plaintiff's reliance on experts, as outlined in a joint letter from the parties to the Court dated August 3, 2023. In the event the Court were to allow Plaintiff to rely on experts, Defendants reserve the right to rely on additional

expert testimony accordingly. Apart from that reservation, and pursuant to the Scheduling Order, Defendants hereby disclose the following information regarding expert witnesses pursuant to Rule 26(a)(2)(B) and (C):

1. **Psychiatrist Dr. Richard Jackson's Expert Report.** Dr. Jackson's Expert Report is attached hereto as Exhibit 1.
2. **Economic Expert Laura Steiner's Expert Report.** Ms. Steiner's Expert Report is attached hereto as Exhibit 2.
3. **Rebuttal Witness Professor C.K. Gunsalus' Expected Testimony.** Plaintiff has identified Professor Richard Painter but, as noted above, failed to produce a report from him by the Scheduling Order's deadline. If the Court nevertheless permits Professor Painter to testify, then Professor Gunsalus is expected to rebut Professor Painter's testimony. According to Plaintiff's Initial Disclosures, served on July 7, 2023, Professor Painter is expected to testify regarding, among other matters, "the ethical and professional norms of law school administration" and "tenure protections and due processes required to . . . discipline . . . a tenured professor." Professor Gunsalus' Curriculum Vitae is attached as Exhibit 3.

Dated: August 4, 2023

By: /s/ Matthew E. Papez

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CERTIFICATE OF SERVICE

I hereby certify that on August 4, 2023, I caused the foregoing document to be emailed to counsel of record.

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